

ART 34 AMDT

Amendment under 34 (received on July 28, 2004)

1. A moving image/audio recording apparatus, wherein the apparatus comprises

a memory for temporarily storing moving image data and/or audio data;

a recording unit for recording the moving image data and/or audio data in response to an instruction to start recording; and

an encoding unit for encoding the moving image and/or audio in specified encoding conditions,

and wherein if the moving image data and/or the audio data from the time which goes back from the time of the instruction to start recording are/is recorded in the recording unit, the time which goes back is subsequent to the time when the encoding conditions are changed to those at the time of the instruction to start recording.

2. A moving image/audio recording apparatus, wherein the apparatus comprises

a memory for temporarily storing moving image data and/or audio data;

a recording unit for recording the moving image data and/or audio data in response to an instruction to start recording; and

a switching unit for switching moving image and/or audio to other moving image and/or other audio,

and wherein if the moving image data and/or the audio data from

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the time which goes back from the time of the instruction to start recording are/is recorded in the recording unit, the time which goes back is subsequent to the time when the moving image and/or audio are/is switched to those at the time of the instruction to start recording.

3. (Canceled)

4. (Canceled)

5. (Canceled)

6. (Canceled)

7. A moving image/audio recording method, wherein the method comprises

a recording step for recording the moving image data and/or audio data in a recording medium in response to an instruction to start recording; and

an encoding step for encoding the moving image and/or audio in specified encoding conditions,

and wherein if the moving image data and/or the audio data from the time which goes back from the time of the instruction to start recording are/is recorded at the recording step, the time which goes back is subsequent to the time when the encoding conditions are changed

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to those at the time of the instruction to start recording.

8. A moving image/audio recording method, wherein the method comprises

a recording step for recording the moving image data and/or audio data in a recording medium in response to an instruction to start recording; and

a switching step for switching moving image and/or audio to other moving image and/or other audio,

and wherein if the moving image data and/or the audio data from the time which goes back from the time of the instruction to start recording are/is recorded at the recording step, the time which goes back is subsequent to the time when the moving image and/or audio are/is switched to those at the time of the instruction to start recording.

9. (Canceled)

10. (Canceled)

11. (Canceled)